

# Notice of Allowability

Application No.

09/976,871

Examiner

Fenn C Mathew

Applicant(s)

DAVIES, PHILLIP HUGH

Art Unit

3764

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/22/2004.
2. ☒ The allowed claim(s) is/are 60-63,74 and 75.
3. ☒ The drawings filed on 12 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

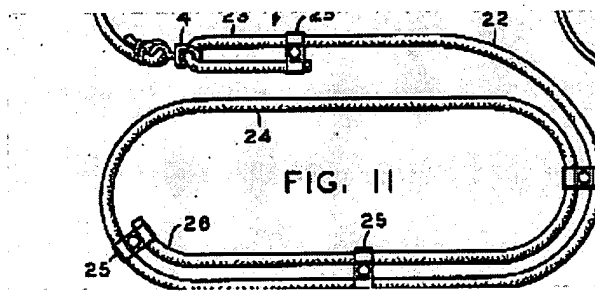
Jerome W. Donnelly  
Primary Examiner

### DETAILED ACTION

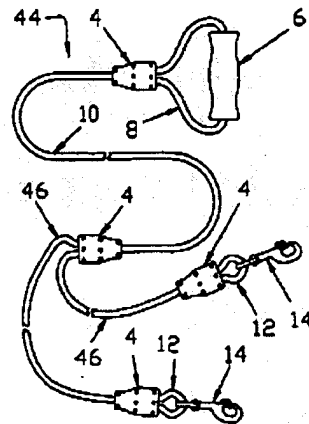
This action is responsive to the after-final amendment filed on 07/22/2004. The amendment will be entered as directed by the applicant. As directed by the applicant, claims 53-59 and 64-73 are canceled, and claims 74-75 have been added.

### *Allowable Subject Matter*

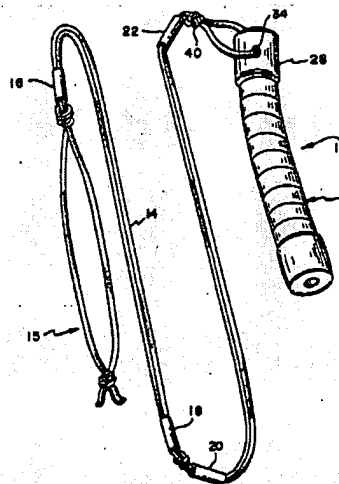
1. Claims 60-63 and 74-75 are allowed. The following is an examiner's statement of reasons for allowance: Schweitzer (U.S. 3,249,356)



discloses a unit comprising a handle, a first chord having a first and second end, and loop formed from the connection between a first section of the chord to a second section of the chord by a loop forming means. Schweitzer fails to teach the loop forming device consisting of a knot, and further fails to teach a second element having a first and second end connected to the loop by the loop forming knot at one end, and by a second separate knot at the second end.



2. Manzella (U.S. 6,460,488) teaches a device including a handle, and an elongated member capable of forming a loop with a loop forming device. Manzella fails to teach or make obvious having the loop forming device consist of a first knot, and further teaching a second elongated element connected to the loop by a first and second knot.

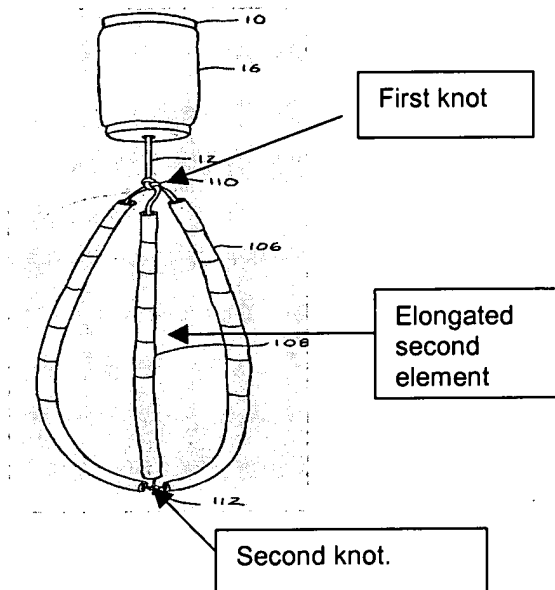


3. Cotita (U.S. 5,087,220) teaches a device including a handle, a first chord, a loop forming device consisting of a first knot, and a second knot. Cotita fails to teach or make obvious a second elongated member having a first end connected at the first knot, and a second end connected at the second knot of the loop.

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4. The prior art of record fails to teach a handle, a first chord extending from the handle, a first section of the chord attached to a second section of the chord via a knot thereby forming a loop, and an elongated second element attached to the loop at the first knot and also at a second knot as illustrated in following embodiment.

5.



Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fenn C Mathew whose telephone number is (703) 305-2846. The examiner can normally be reached on Monday - Friday 9:00am - 5:30pm.

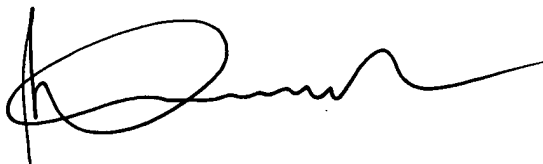
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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fcm  
September 15, 2004

Jerome W. Donnelly  
Primary Examiner

A handwritten signature in black ink, appearing to read 'Jerome W. Donnelly', with a long horizontal flourish extending to the right.